

AFFIDAVIT OF DAVID KELTIE ASSOCIATES

We, David Keltie Associates, declare and state that:

1. We are a UK based firm of patent attorneys representing Duncan Hugh Barclay and Joan Weibel with respect to the subject matter of the reference PCT/GB2004/003791 (WO 2005/024684), hereinafter referred to as the "PCT Application", claiming priority to GB0320775.0 filed 4th September 2003 and GB0410389.1 filed 10th May 2004.

2. We understand that Duncan Hugh Barclay and Joan Weibel have formed Proxim-IT Ltd. Proxim-IT is responsible for the financial aspects relating to the PCT Application.

3. On the 31st January 2006, we informed Joan Weibel of the national phase deadline for the PCT Application. For the United States of America, the relevant date was 4th March 2006. A follow up communication was sent to Joan Weibel on 1st March 2006.

4. On the 3rd March 2006 we received an email communication from Joan Weibel stating that we should take no further action with respect to the PCT Application and that we should not file any national phase patent applications.

5. On 15th March 2006 we received a telephone call from Joan Weibel stating that the decision relating to the application had been taken without the required input from Duncan Barclay and that consequently the application had been unintentionally abandoned. During this conversation we arranged a meeting for 16th March 2006 to discuss various options with our client for reviving the application.

6. Following the telephone conversation on 15th March 2006, we contacted the US Patent firm Oppenheimer Wolff & Donnelly LLP to discuss the client's options with respect to the missed national phase deadline. We were informed of the option of filing a petition to revive an unintentionally abandoned application.

7. We met with Joan Weibel on 16th March 2006 and discussed the available options. Joan Weibel then indicated that a decision should be made by 22nd March 2006.

8. On 21st March 2006 we contacted Oppenheimer Wolff & Donnelly LLP again to clarify the requirements of the USPTO with respect to the petition to revive the application.


9. On 22nd March 2006 we contacted Joan Weibel for a decision on the national phase applications and were informed that Duncan Barclay would not be available until the following day.

10. On 23rd March 2006 we were informed by Joan Weibel that she and Duncan Barclay wished to pursue national phase applications in the United States of America, Canada and Europe.

11. We drafted the required documentation on 24th March 2006

and sent it to Oppenheimer Wolff & Donnelly LLP for review.

12. On 28th March 2006 an affidavit for signature by Joan Weibel and Duncan Barclay was sent to Joan Weibel for processing.

Signed 
Date 30 MARCH 2006
David Keltie Associates